

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

TRACEY SPRINGHORN,

Plaintiff,

v.

Case No. 16-1196-JTM

PAUL ARMSTRONG,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the court upon the Report and Recommendation filed by Magistrate Judge Birzer on August 3, 2016 (Dkt. 5). Judge Birzer recommended the undersigned dismiss the action pursuant to 28 U.S.C. § 1915(e)(2) because Plaintiff failed to plead a basis for the court to assume subject-matter jurisdiction over her claims arising from a domestic order and failed to allege sufficient facts as to Defendant's misconduct which would state a claim plausible on its face. Despite Judge Birzer's admonition regarding the consequences of failing to do so, plaintiff has filed no objections to the Report and Recommendation to date, and the time for doing so has expired. For good cause shown and pursuant to D. Kan. Rule 72.1.4, the court adopts the Report and Recommendation and dismisses the present action.

**IT IS THEREFORE ORDERED** that Judge Birzer's Report and Recommendation (Dkt. 5) is accepted, adopted, and affirmed. Plaintiff's complaint is DISMISSED for failure to state a claim upon which relief may be granted.

**IT IS SO ORDERED** this 6th day of September, 2016.

s/ J. Thomas Marten  
J. THOMAS MARTEN, Judge